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DALLAS OFFICE OF FULBRIGHT & JAWORSKI L.L.P. 2200 ROSS AVENUE SUITE 2800 DALLAS, TX 75201-2784				QUELLETTE, JONATHAN P
ART UNIT		PAPER NUMBER		
3629				

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/641,021	CAYTON ET AL.
	Examiner	Art Unit
	Jonathan Ouellette	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 November 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-92 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-92 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

✓ 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. 2005/10/28
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 93-101 have been cancelled; therefore, Claims 1-92 are currently pending in application 09/641,021.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-2, 6-26, 28-34, and 36-44, 46-76, and 78-87 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams et al. (US 6,618,734 B1).**

4. As per independent Claim 1, Williams discloses a method for qualifying candidates for employment with an employer (abstract), said method comprising: executing a computer program, said computer program receiving as input from said employer a desired hiring criteria of said employer (C3 L30-64); based on said desired hiring criteria of said employer, said computer program generating at least one customized application program (automated interview questions) that is executable to interact with candidates for employment with said employer and determine whether each of

said candidates is qualified for employment with said employer (C3 L2-5, C3 L62-64); allowing said candidates access to the at least one generated customized application program (C5 L48-67); and responsive to input from each of said candidates to the at least one generated customized application program automatically determining whether each of said candidates qualifies for a position of employment with the employer (C5 L53-67).

5. **As per independent Claims 30, 54, and 62,** Williams discloses a system (computer executable program code, or business method) for use in qualifying candidates for employment with an employer (abstract), said system (computer executable program code, or business method) comprising: a processor-based device; and a computer program executable by said processor-based device to receive as input desired hiring criteria of said employer and generate at least one application program (C3 L2-5, C3 L30-64), wherein said desired hiring criteria specifies at least one attribute to be possessed by a candidate to be considered qualified for a position of employment (C2 L58-62, C10 L49-58), and wherein said at least one application program is executable to interact with candidates and determine whether each of said candidates qualifies for said position of employment with said employer (C5 L48-67).
6. As per Claim 2, Williams discloses wherein said desired hiring criteria includes at least one criteria selected from the group consisting of: candidate's education, candidate's work experience, candidate's possessing a particular license, candidate's language skills, and candidate's computer skills (C2 L50-62).

7. As per Claim 6, Williams discloses wherein said computer program receiving said desired hiring criteria further includes: receiving said desired hiring criteria from a user interface (C3 L30-36 job profiling obtained and entered into the system).
8. As per Claim 7, Williams discloses wherein said user interface is a separate program executable to communicative with said computer program (C3 L30-64, job profiling interview design system communicates with candidate interview application).
9. As per Claims 8, 36, and 57, Williams discloses wherein said at least one customized application program is executable to interact with a candidate to enable said candidate to self-administer a qualification session for a position of employment with said employer (Fig.2-6).
10. As per Claims 9, 37, and 58, Williams discloses wherein said at least one customized application program enables access by one or more candidates via at least one communication platform (Fig.2-6, C2 L50-54).
11. As per Claims 10, 38, and 59, Williams discloses wherein said at least one communication platform includes platforms selected from the group consisting of telephony-based platform, web-based platform, and other processor-based platforms (Fig.2-6, C2 L50-54).
12. As per Claims 11, 39, and 60, Williams discloses an IVR application that enables access by one or more candidates via telephone (Fig.2-6, C2 L50-54).
13. As per Claims 12, 40, and 61, Williams discloses wherein said at least one customized application program includes a web-based application that enables access

by one or more candidates via a processor-based device via the World Wide Web (C2 L50-54).

14. As per Claims 13 and 41, Williams discloses wherein said generating step includes: generating a plurality of said customized application programs (abstract, system generated for all published job openings).
15. As per Claims 14 and 42, Williams discloses wherein each of said plurality of customized application programs is executable to enable interaction with candidates via different communication platforms (C2 L50-54).
16. As per Claim 15, Williams discloses said computer program receiving as input from said employer preferences of said employer as to characteristics of said at least one customized application program (C2 L50-62, client identified dimensions).
17. As per Claim 16, Williams discloses wherein said computer program receives as input from said employer indication of one or more communication platforms on which said at least one customized application program is to enable access by candidates (C6 L34-36, client pre-determines response mode).
18. As per Claims 17 and 67, Williams discloses wherein said at least one customized application program is executable to assist in further screening of candidates beyond determining whether based on said desired hiring criteria said candidates qualify for a position of employment with the employer (C8 L41-61, background check and facilitating interview).
19. As per Claims 18 and 68, Williams discloses wherein said at least one customized application program is executable to schedule future testing with a candidate

determined based on said desired hiring criteria to be qualified for a position of employment with the employer (C8 L41-61, facilitating follow-up interview).

20. As per Claims 19 and 69, Williams discloses wherein said at least one customized application program is executable to administer testing of a candidate determined based on said desired hiring criteria to be qualified for a position of employment with the employer (C8 L11-41, BAI analysis).
21. As per Claims 20 and 70, Williams discloses wherein said at least one customized application program is executable to schedule a future personal interview with hiring personnel of the employer and a candidate determined based on said desired hiring criteria to be qualified for a position of employment with the employer (C8 L51-67, C9 L1-23).
22. As per Claims 21 and 71, Williams discloses wherein at least one customized application program interacts with a calendaring program to schedule said future personal interview at a time available for said hiring personnel (C9 L1-5, automated scheduler)
23. As per Claims 22 and 72, Williams discloses wherein said at least one customized application program is executable to forward supplemental materials to hiring personnel of the employer for a candidate determined based on said desired hiring criteria to be qualified for a position of employment with the employer (C8 L45-61, send interview results or background checks).
24. As per Claims 23, 44, and 73, Williams discloses wherein said supplemental materials include at least one of the materials selected from the group consisting of

candidate resume, writing sample, *questionnaire*, letter of recommendation, and school transcript (C8 L45-61, send interview results – BFOQ and BAI).

25. As per Claims 24 and 74, Williams discloses wherein said at least one customized application is executable to forward said supplemental materials to hiring personnel electronically (C8 L45-61, send interview results or background checks)
26. As per Claims 25, 47, and 75, Williams discloses wherein said at least one customized application is executable to forward said supplemental materials to hiring personnel via at least one communication method selected from the group consisting of e-mail and fax (C8 L45-61, send interview results or background checks; C9 L19-23, application for employment transmitted to HR)
27. As per Claims 26 and 76, Williams discloses the step of said at least one customized application receiving said supplemental materials from a candidate (C9 L19-23, application for employment transmitted to HR).
28. As per Claim 28, Williams discloses the step of said at least one customized application program outputting to a candidate determined by said customized application program as not qualifying for a position of employment with the employer one or more reasons for said candidate not qualifying (C8 L35-38).
29. As per Claim 29, Williams discloses the step of storing to a database, information about a candidate received by said at least one customized application (C6 L52-54, candidate account in the system).

30. As per Claim 31, Williams discloses wherein said processor-based device is a device selected from the group consisting of PC, workstation, laptop computer, and PDA (C1 L6-20).
31. As per Claim 32, Williams discloses wherein said processor-based device is a server computer (C1 L6-20, Internet related system).
32. As per Claim 33, Williams discloses wherein said server computer comprises a web server (C1 L6-20, Internet related system).
33. As per Claim 34, Williams discloses wherein said at least one attribute includes an attribute concerning one selected from the group consisting of: candidate's education, candidate's work experience, candidate's possessing a particular license, candidate's language skills, and candidate's computer skills (C2 L50-62).
34. As per Claim 43, Williams discloses an input device communicatively coupled to said processor-based device to enable candidates to input supplemental materials to said processor-based device (C9 L19-23, application for employment).
35. As per Claim 46, Williams discloses wherein said at least one application program is executable to electronically communicate said supplemental materials to hiring personnel (C9 L19-23, transmitted to HR).
36. As per Claim 48, Williams discloses a data storage device communicatively coupled to said processor-based device to enable storage of data received by said at least one application program (C1 L6-20, C2 L50-53).
37. As per Claim 49, Williams discloses wherein said data storage device is at least one device selected from the group consisting of hard drive, floppy disk, Compact Disc

(CD), Digital Versatile Disc (DVD), and other data storage devices (C1 L6-20, C2 L50-53).

38. As per Claims 50, 52, 63, and 65, Williams discloses wherein said processor-based device is communicatively coupled to a communication network to enable access by said employer / candidates to said computer program via said communication network (C2 L50-53, C3 L25-27, Internet).
39. As per Claims 51, 53, 64, and 66, Williams discloses wherein said communication network is a network selected from the group consisting of: PSTN, wireless communication network, a proprietary network, general purpose processor-based information network, dedicated communication lines, computer network, direct PC to PC connection, LAN, WAN, modem to modem connection, *Internet*, Intranet, Extranet, or any combination thereof (C2 L50-53, C3 L25-27, Internet).
40. As per Claim 55, Williams discloses wherein said code for presenting and code for generating are part of a common computer program (C1 L6-20, inherent to PC system/application operation).
41. As per Claim 56, Williams discloses wherein said code for presenting and said code for generating are each part of separate computer programs that are capable of communicating with each other (C1 L6-20, inherent to PC system/application operation; example: automated interview system communicates with automated interview scheduler).
42. As per Claims 78, 83, 85, and 87, Williams discloses wherein said input of employer preferences as to characteristics of said at least one customized application program

received by said computer program includes at least one selected from the group consisting of: input indicating whether the at least one customized application program is to automatically schedule an interview with candidates determined to be qualified for a position (C8 L41-67), input indicating whether the at least one customized application program is to interact with a calendaring program to schedule an interview with candidates determined to be qualified for a position (C9 L1-11, automatic scheduler), input indicating one or more interviewers with whom an interview is to be schedules for candidates determined to be qualified for a position (C9 L1-11, automatic scheduler), input indicating whether the at least one customized application program is to request supplemental material from candidates determined to be qualified for a position (C9 L19-23, application for employment), input indicating whether the at least one customized application program is to forward supplemental material received from qualified candidates to one or more hiring managers (C9 L19-23, transmitted to HR), and input indicating whether the at least one customized application program is to schedule future testing (interview) with a candidate determined to be qualified for a position (C8 L41-67).

43. As per Claim 79, Williams discloses wherein said generated at least one customized application program operates in accordance with the input employer preferences (C8 L54-57, client selections option for follow-up interview).
44. As per Claim 80, Williams discloses wherein said supplemental material includes at least one of the materials selected from the group consisting of: candidate resume,

writing sample, *questionnaire*, letter of recommendation, and school transcript (C9 L19-23, application for employment – equivalent to questionnaire).

45. As per Claims 81 and 86, Williams discloses wherein said computer program is further executable to receive as input preferences of said employer as to operational characteristics of said at least one application program to be generated (C2 L60-62, C3 L62-64).
46. As per Claims 82 and 84, Williams discloses wherein said computer program is operable to receive a preference of said employer as to one or more communication platforms in which said at least one application program is to enable access by candidates (C6 L34-36).

Claim Rejections - 35 USC § 103

47. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
48. **Claims 3-5, 35, and 88-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams in view of Smith.**
49. As per Claim 3, although Williams discloses wherein said computer program provides hiring criteria for said employer as said desired hiring criteria (C2 L50-62, 1st tier eligibility requirements; C7 L52-55).

50. Williams fails to expressly discloses wherein said computer program provides a *predetermined list of hiring criteria for selection by said employer* as said desired hiring criteria.
51. Smith discloses a computer program in a employment decision system, which provides a predetermined list of hiring criteria (lists boxes) for selection by said employer as said desired hiring criteria (C7 19-56, C8 L28-40)
52. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said computer program provides a predetermined list of hiring criteria for selection by said employer as said desired hiring criteria, as disclosed by Smith in the system disclosed by Williams, for the advantage of providing a method for qualifying candidates for employment with an employer, with the ability to increase system effectiveness/efficiency by allowing the using to enter job criteria in a number of formats (enter free text / select from list).
53. As per Claim 4, Williams fails to expressly discloses wherein said computer program allows said employer to input additional hiring criteria not included on said predetermined list.
54. Smith discloses a computer program in an employment decision system, which allows said employer to input additional hiring criteria (create test questions) not included on said predetermined list (C13 L8-35, job provider writes questions and saves to question database).
55. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said computer program allows said

employer to input additional hiring criteria not included on said predetermined list, as disclosed by Smith in the system disclosed by Williams, for the advantage of providing a method for qualifying candidates for employment with an employer, with the ability to increase system effectiveness/efficiency by allowing the user to enter job criteria in a number of formats (free text / select from list).

56. As per Claims 5 and 35, Williams discloses the ability of employers to enter changes into the system (C2 L35-41, system accepts changes to employment criteria); Williams fails to expressly disclose wherein said computer program includes a user interface for interacting with said employer to receive as input said desired hiring criteria from said employer.
57. Smith discloses wherein said computer program includes a user interface for interacting with said employer to receive as input said desired hiring criteria from said employer (Fig.1 and Fig.6).
58. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said computer program includes a user interface for interacting with said employer to receive as input said desired hiring criteria from said employer, as disclosed by Smith in the system disclosed by Williams, for the advantage of providing a method for qualifying candidates for employment with an employer, with the ability to increase system effectiveness/efficiency by providing tools to the user for direct communication with the system.

59. As per Claims 88 and 92, Williams fails to expressly disclose wherein said computer program receiving as input a desired hiring criteria comprises receiving manually inputted hiring criteria from said employer, and wherein said computer program generating said at least one customized application program comprises said computer program automatically integrating the manually inputted hiring criteria into the at least one customized application program.
60. Smith discloses a computer program in an employment decision system, which receives manually inputted hiring criteria from said employer (C13 L8-35, job provider writes questions and saves to question database), and wherein said computer program generating said at least one customized application program comprises said computer program automatically integrating the manually inputted hiring criteria into the at least one customized application program (test creation C12-C15 from question database).
61. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said computer program receiving as input a desired hiring criteria comprises receiving manually inputted hiring criteria from said employer, and wherein said computer program generating said at least one customized application program comprises said computer program automatically integrating the manually inputted hiring criteria into the at least one customized application program, as disclosed by Smith in the system disclosed by Williams, for the advantage of providing a method for qualifying candidates for employment with

an employer, with the ability to increase system effectiveness/efficiency by allowing the using to enter job criteria in a number of formats (free text / select from list).

62. As per Claims 89, 90, and 91, Williams fails to expressly disclose wherein said computer program receiving as input a desired hiring criteria comprises: receiving said input defining any hiring criteria desired for said position of employment, wherein said input desired hiring criteria is not limited to a selection of hiring criteria pre-defined by said computer program.
63. Smith discloses a computer program in an employment decision system, which receives input defining any hiring criteria desired for said position of employment, wherein said input desired hiring criteria is not limited to a selection of hiring criteria pre-defined by said computer program (C13 L8-35, job provider writes questions and saves to question database).
64. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said computer program receiving as input a desired hiring criteria comprises: receiving said input defining any hiring criteria desired for said position of employment, wherein said input desired hiring criteria is not limited to a selection of hiring criteria pre-defined by said computer program, as disclosed by Smith in the system disclosed by Williams, for the advantage of providing a method for qualifying candidates for employment with an employer, with the ability to increase system effectiveness/efficiency by allowing the using to enter job criteria in a number of formats (free text / select from list).

65. Claim 27, 45, and 77 is rejected under 35 U.S.C. 103 as being unpatentable over Williams.

66. As per Claim 27, 45, and 77, Williams does not expressly show wherein said at least one customized application receives said supplemental materials via at least one of the following methods: fax, e-mail, and digital imaging device.

67. However these differences are only found in the nonfunctional descriptive data and are not functionally involved in the steps recited. The method/system for qualifying candidates for employment with an employer would be performed regardless of the how the supplemental materials were sent. Thus, this descriptive data will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

68. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have sent supplemental materials by fax, e-mail, and/or digital imaging device, because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

Response to Arguments

69. Applicant's arguments filed 11/1/2005, with respect to Claims 1-92 have been considered but are not persuasive. The rejection will remain as FINAL based on the previous ground(s) of rejection.

70. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
71. The Applicant has argued the priority of the sited art of Williams et al. (US 6,618,734 B1) through previous Declarations received 12/9/2004 and 4/6/2005.
72. However, as similarly stated in a previous rejection, The Declaration of Mr. Alan Cayton filed on 12/9/2004 under 37 CFR 1.131 has been considered, but is ineffective for the date of 7/20/2000.
73. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Williams's reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See Mergenthaler v. Scudder, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897).
74. The Submitted evidence (Exhibit A) with the Declaration, which the Applicant relies on to overcome the Williams's reference, does not appear to satisfy conditions listed

above. The Exhibit A is completely silent with regard to all the process steps recited in the independent claims; and is no more than a general overview of the claimed system.

75. Furthermore, the evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Williams's reference to either a constructive reduction to practice or an actual reduction to practice.
76. Where conception occurs prior to the date of the reference, but reduction to practice is afterward, it is not enough merely to allege that applicant had been diligent. *Ex parte Hunter*, 1889 C.D. 218, 49 O.G. 7333 (Comm'r Pat 1889). Rather, the applicant must show evidence of facts establishing diligence. The Applicant must account for the entire period during which diligence is required. *Gould V. Schawlow*, 363 F.2d 908, 919, 150 USPQ634, 643 (CCPA 1966). A 2-day period lacking activity has been held to be fatal. *In re Mulder*, 716 F.2d 1542, 1545, 219 USPQ 189, 193 (Fed. Cir. 1983) (37 CFR 1.131 issue); *Fitzgerald v. Arbib*, 268 F.2d 763, 766, 122 USPQ 530, 532 (CCPA 1959) (Less than 1 month of inactivity during critical period). Efforts to exploit an invention commercially do not constitute diligence in reducing it to practice. An actual reduction to practice in the case of a design for a three-dimensional article requires that it should be embodied in some structure other than a mere drawing.); *Kendall v. Searles*, 173 F.2d 986, 993, 81 USPQ 363, 369 (CCPA 1949) (Diligence requires that applicants must be specific as to dates and facts.).
77. Therefore, so as the Declaration does not provide the sufficient evidence to establish a conception of the invention prior to the effective date of the Williams's reference, and

does not show diligence from a date prior to the date of reduction to practice of the Williams's reference to either a constructive reduction to practice or an actual reduction to practice, the independent claims and claims depending from them stand rejected as explained above.

78. Finally, the Applicant has made the argument that the sited prior art fails to teach or suggest a computer program generating at least one customized application program that is executable to interact with candidates.

79. However, Williams clearly discloses the generation of customized employment systems/programs (Behavioral Assessment Interview) for each client/employer (Fig.5-Fig.6, C8 L11-15). Furthermore, Williams discloses a detailed process of determining the correct types of interview questions for each job/employer; wherein, once determined, the questions are entered into the system (C3 L30-65), to be taken by the operating program in order to generate the finished customized employment program (assessment interview) used in the system/method.

Conclusion

80. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

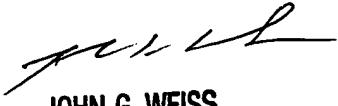
81. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers

for the organization where this application or proceeding is assigned (571) 273-8300
for all official communications.

82. Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Office of Initial Patent Examination whose
telephone number is (703) 308-1202.

JO

January 11, 2006


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600